

**REMARKS****Claim Changes**

Claim 1 is amended to more clearly recite the claimed invention. These changes are based at least on FIG. 3 and the accompanying in paragraphs [0021] through [0059]. Thus, no new matter is added.

Claim 2 is amended to clarify and simplify the language in light of currently amended claim 1.

Claim 3 has been canceled without prejudice.

Claim 4 is amended to more clearly recite the claimed invention. These changes are based at least on FIG. 3 and the accompanying in paragraphs [0021] through [0059]. Thus, no new matter is added.

Claim 5 is amended to more clearly recite the claimed invention. These changes are based at least on FIG. 3 and the accompanying in paragraphs [0021] through [0059]. Thus, no new matter is added.

Claim 6 is amended to more clearly recite the claimed invention. These changes are based at least on FIG. 3 and the accompanying in paragraphs [0021] through [0059]. Thus, no new matter is added.

Claim 7 is amended to more clearly recite the claimed invention. These changes are based at least on FIG. 3 and the accompanying in paragraphs [0021] through [0059]. Thus, no new matter is added.

Claim 8 is amended to clarify and simplify the language in light of currently amended claim 1.

Claim 9 is amended to more clearly recite the claimed invention. These changes are based at least on FIG. 3 and the accompanying in paragraphs [0021] through [0059]. Thus, no new matter is added.

Claim 10 is amended to more clearly recite the claimed invention. These changes are based at least on FIG. 3 and the accompanying in paragraphs [0021] through [0059]. Thus, no new matter is added.

Claim 11 is amended to more clearly recite the claimed invention. These changes are based at least on FIG. 3 and the accompanying in paragraphs [0021] through [0059]. Thus, no new matter is added.

Claims 12-15 have been newly added. Support for the new claims can be found at least in FIG. 3 and the accompanying paragraphs [0021] through [0059]. Thus, no new matter is added.

No amendment made is related to the statutory requirements of patentability unless expressly stated herein. No amendment is made for the purpose of narrowing the scope of any claim, unless Applicant had argued herein that such amendment is made to distinguish over a particular reference or combination of references. Any remarks made herein with respect to a given claim or amendment is intended only in the context of that specific claim or amendment, and should not be applied to other claims, amendments, or aspects of Applicant's invention.

#### Claim Objections

The Office Action objects to claim 1 because of the following stated informalities: line 7 discloses “in a subset matches” which is grammatically incorrect. Applicant requests the reconsideration and withdrawal of this objection in view of the above amendments made to Claim 7, which deletes the language “in a subset matches”.

The Office Action objects to claim 8 because the dependency is unclear. More particular, the Office Action states that claim 8 has dependency to claim 1 and claim 5 (which also depends from claim 1). Applicant requests the reconsideration and withdrawal of this objection based on the above amendments made to Claim 8.

#### Rejection of claims 1-5 and 8 under 35 U.S.C. § 112

The Office Action has rejected Claims 1-5 and 8 under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. More particularly, the Office Action states that claim 1 recites the limitation “the database” in line 7; there is insufficient antecedent basis for this limitation on the claim; the dependent claims 2-5 and 8 are rejected also since they depend on this claim. Applicant requests reconsideration and withdrawal of the rejection of claims 1-5 and 8 under 35 U.S.C. § 112, second paragraph, in view of the above amendments to claim 1.

Rejection of claims 6, 7 and 9 under 35 U.S.C. § 102(b) as being anticipated by Applicant's admitted prior art ("AAPA")

Applicant has amended the claims to clarify the invention and respectfully requests reconsideration of the rejection of claims 6, 7 and 9 under 35 U.S.C. § 102(b) as being anticipated by AAPA, as herein amended. More particularly, Applicant has amended claims 6, 7 and 9 to depend from independent claim 1. Applicant respectfully submits that the AAPA does not anticipate, either expressly or inherently, each and every element as set forth in independent claim 1 as amended and, thereby, by dependency does not anticipate each and every element as set forth in claims 6, 7 and 9. Applicant, therefore, respectfully requests the withdrawal of the rejection of claims 6, 7 and 9 under 35 U.S.C. § 102(b) as being anticipated by the AAPA.

Rejection of claims 6, 7 and 9 under 35 U.S.C. § 102 (b or e) as being anticipated by Prabhakar, et al. *Decision-Level Fusion in Fingerprint Verification* (Prabhakar)

Applicant has amended the claims to clarify the invention and respectfully requests reconsideration of the rejection of claims 6, 7 and 9 under 35 U.S.C. § 102(b or e) as being anticipated by Prabhakar, as herein amended. More particularly, Applicant has amended claims 6, 7 and 9 to depend from independent claim 1. Applicant respectfully submits that Prabhakar does not anticipate, either expressly or inherently, each and every element as set forth in independent claim 1 as amended and, thereby, by dependency does not anticipate each and every element as set forth in claims 6, 7 and 9. Applicant, therefore, respectfully requests the withdrawal of the rejection of claims 6, 7 and 9 under 35 U.S.C. § 102(b or e) as being anticipated by Prabhakar.

In view of the foregoing, Applicant requests that claims 6, 7 and 9 may now be passed to allowance.

Rejection of Claims 1-5, 8 and 10-11 under 35 U.S.C. § 103 (a) as being unpatentable over Prabhakar, et al. *Decision-Level Fusion in Fingerprint Verification* (Prabhakar) in view of US 6,181,807 (Setlak)

Applicant has canceled claim 3 and has amended claims 1-2, 4-5, 8 and 10-11 to clarify the invention and respectfully requests reconsideration of the rejection of claims 1-2, 4-5, 8 and 10-11 under 35 U.S.C. § 103(a) as being unpatentable over Prabhakar in view of Setlak, as

herein amended. Applicant respectfully submits that the combination of Prabhakar and Setlak does not teach or suggest all the claim limitations as set forth in independent claims 1, 10 and 11, as amended. Since the combination of Prabhakar and Setlak fails to disclose Applicant's claimed invention as claimed in independent claims 1, 10 and 11, Applicant respectfully requests withdrawal of the rejection of claims 1, 10 and 11 under 35 USC 103(a). Applicant further requests that claims 1, 10 and 11 now be passed to allowance.

Dependent claims 2, 4-5 and 8 depend from, and include all the limitations of independent claim 1. Therefore, Applicant respectfully requests withdrawal of the rejection of claims 2, 4-5 and 8 under 35 USC 103(a). Applicant further requests that claims 2, 4-5 and 8 now be passed to allowance.

Applicant has added new claims 12-15 that also include all of the limitations of independent claim 1. Applicant, therefore, requests that claims 12-15 now be passed to allowance.

#### Conclusion

Applicant has reviewed the other references of record and believes that Applicant's claimed invention is patentably distinct and nonobvious over each reference taken alone or in combination. Applicant respectfully requests that a timely Notice of Allowance be issued in this case. Such action is earnestly solicited by the Applicant. Should the Examiner have any questions, comments, or suggestions, the Examiner is invited to contact the Applicant's attorney or agent at the telephone number indicated below.

Please charge any fees that may be due to Deposit Account 502117, Motorola, Inc.

Respectfully submitted,

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